

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-19235 - APPLICANT: MITCHELL HOLDINGS - OWNER: LIVEWORK, LLC, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
4. The limits of this Petition of Vacation shall be defined as the public alley between Main Street and 1st Street and between Lewis Avenue and Clark Avenue.
5. Dedicate an additional 5 feet of right-of-way on Main Street adjacent to this site and dedicate a 10-foot radius on the southeast corner of Main Street and Lewis Avenue, the southwest corner of 1st Street and Lewis Avenue, the northeast corner of Main Street and Clark Avenue and on the northwest corner of 1st Street and Clark Avenue prior to the recordation of the Order of Vacation for this application. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the document preparation.
6. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation. If easements are required, this Vacation may record in phases, to allow for future elimination of easements at the discretion of the City Engineer.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

8. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request to Vacate a portion of an existing twenty-foot alley generally located north of Clark Avenue and south of Lewis Avenue between Main Street and 1st Street.

EXECUTIVE SUMMARY

The applicant states all the properties in this block have been purchased. The alley is being vacated and the entire area will be readied for development.

BACKGROUND INFORMATION

A) Related Actions

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved adoption of a Resolution of Intent from R-1(Single Family Residential), R-4(Apartments), C-1(Limited Commercial), C-V(Civic) to C-2 (General Commercial).
03/08/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/lhm).

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Alley	C(Commercial)	C-M (Commercial Industrial)
North	Lewis Ave Surface Parking Lot Service Station	C(Commercial)	C-M (Commercial Industrial) C-2 (General Commercial)
South	Clark Ave Surface Parking Lot Retail	C(Commercial)	C-M (Commercial Industrial) C-2 (General Commercial)
East	Vacant Lot Apartments	C(Commercial)	C-2 (General Commercial)
West	Vacant Lot Motels	C(Commercial)	C-M (Commercial Industrial)

B) Pre-Application Meeting

A pre-application conference is not required for a Vacation application request nor was one held.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

The property to be vacated is a twenty-foot (20') wide right-of-way (alley) from Lewis Avenue to Clark Avenue, generally located between Main Street and First Street.

The property is legally described as being a portion of the West Half (W ½) of the South Half (S ½) of the South Half (S ½) of the Northwest Quarter (NW ¼) of Section 34, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

Planning staff does not have an objection to the vacation request. No adverse affects to traffic circulation or site access would result with the proposed vacation. All the properties surrounding the proposed vacation have been purchased by one owner and will be developed in the future.

B) Public Works discussion

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform as it is to vacate a public alley for development purposes.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No as it will eliminate an alley that will be incorporated into the development of the adjacent parcels.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a public alley.*

- D. Does this vacation request coincide with development plans of the adjacent parcels?
Although no development plan has been submitted to date, we anticipate the owner of the adjacent parcels to develop a "live/work" type of project.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements?
No.
- G. Does the Department of Public Works have an objection to this vacation request?
No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0